

ELMER EUGENE WALKER K 42310
 Name and Prisoner/Booking Number
CALIFORNIA HEALTH CARE FACILITY
 Place of Confinement
P.O. BOX 213040, D7A-105
 Mailing Address
STOCKTON CA, 95213
 City, State, Zip Code

FILED
Aug 10, 2022
 CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA**

ELMER EUGENE WALKER,)
 (Full Name of Plaintiff) Plaintiff,)
 v.)
 (1) JENNA NELSON, CHIEF DEPUTY,)
 (Full Name of Defendant))
 (2) CALIFORNIA LEGISLATIVE BODY,)
 (3) THE DIRECTOR OF CORRECTIONS,)
 (4) R. BURTON, WARDEN, IN STOCKTON PRISON,)
 Defendant(s).)
☐ Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. 2:22-cv-1327 KJM DB (PC)
 (To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
 BY A PRISONER**

☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

- This Court has jurisdiction over this action pursuant to:
 - ☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
 - ☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 - ☐ Other: _____
- Institution/city where violation occurred: CALIFORNIA HEALTH CARE FACILITY IN STOCKTON CA

B. DEFENDANTS

1. Name of first Defendant: JENNAN NELSON, CHIEF JUDGE. The first Defendant is employed as:
JENNAN NELSON CHIEF JUDGE at EASTERN DISTRICT COURT
(Position and Title) (Institution)
2. Name of second Defendant: LEGISLATIVE BODY. The second Defendant is employed as:
CALIFORNIA LEGISLATIVE BODY at CALIFORNIA LEGISLATIVE BODY
(Position and Title) (Institution)
3. Name of third Defendant: THE DIRECTOR OF CORRECTION. The third Defendant is employed as:
THE DIRECTOR OF DEPARTMENT OF CORRECTION SACRAMENTO CA
(Position and Title) (Institution)
4. Name of fourth Defendant: R. BURTON, WARDEN, AND. The fourth Defendant is employed as:
LIBRARIAN/LITIGATION COORDINATOR at STOCKTON CA, C.H.C.F
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: LA JAIL v. ME WALKER
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) I WIN
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: MY RIGHTS TO A FEDERAL COURT.

2. Claim I. Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input checked="" type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

THE EASTERN DISTRICT COURT OF ~~MISSISSIPPI~~ CALIFORNIA SENT MY UNITED STATES DISTRICT COURT OF EASTERN DISTRICT OF CALIFORNIA CIVIL RIGHTS COMPLAINT, 42 U.S.C. 1983 BY A PRISONER CHIEF DEPUTY JENNA NELSON SENT THE COMPLAINT BACK TWO ~~ME~~ WALKER WHAT ALL THESE STATE ACTOR DID IS CRIMINAL AND IT A VIOLATION OF THE CONSTITUTION OF THE UNITED STATES AND DISCRIMINATION, AND TO CONSPIRE WITH CONSPIRACY TO DENY ME WALKER CIVIL RIGHT COMPLAINT. CALIFORNIA LEGISLATIVE BODY WHO HAVE THE POWER TO MAKE LAW, AN ORGANIZED BODY OF PERSONS HAVING THE AUTHORITY TO MAKE LAW, CALIFORNIA LEGISLATIVE MADE A LAW THAT THE C.D.C.R. CALIFORNIA PRISON LIBRARY LITIGATION COORDINATOR CAN NOT LIMITED MY CIVIL RIGHT COMPLAINT 42 U.S.C. 1983 ABOUT MY LAWSUIT AGAINST SAN JOAQUIN HOSPITAL, ONE THING CANNOT HAPPEN IS THE EASTERN DISTRICT COURT, A FEDERAL COURT CANNOT ASS A STATE'S PRISON LIBRARY LITIGATION COORDINATOR ANYTHING TO A FEDERAL CIVIL RIGHT COMPLAINT, 42 U.S.C. 1983

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

I SENT MY CIVIL RIGHTS COMPLAINT 42 U.S.C. 1983 EASTERN DISTRICT COURT, AND CHIEF DEPUTY JENNA NELSON JUDGE SENT MY LAWSUIT AGAINST SAN JOAQUIN HOSPITAL BACK TO ME, WALKER

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☐ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM II

1. State the constitutional or other federal civil right that was violated: _____

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input checked="" type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

THE DIRECTOR OF CORRECTIONS AND R. BURTON THE WARDEN AT STOCKTON PRISON, CALIFORNIA HEALTH CARE FACILITY, DID NOT MAKE COPIES FOR MY CIVIL RIGHTS COMPLAINT 42 U.S.C. 1983. THE LIBRARIAN LITIGATION COORDINATOR, MY LAW SUIT IS AGAINST SAN JOAQUIN HOSPITAL CHIEF DISTRICT JUDGE ENTITLED IN RE, PROCEDURED RULES FOR ELECTRONIC SUBMISSION OF PRISONER LITIGATION FILED BY PLAINTIFFS INCARCERATED AT PARTICIPATING INSTITUTION AUTHORIZING THE E-FILEING OF INITIAL ~~CIVIL~~ CIVIL COMPLAINTS IN CONDITIONS OF CONFINEMENT CASES ONLY FILED BY ~~INCARCERATED~~ INCARCERATED PRISONERS (IN CONDITIONS OF CONFINEMENT CASES ONLY) ←

MY CIVIL RIGHTS COMPLAINTS 42 U.S.C. 1983 IS TO SAN JOAQUIN HOSPITAL

THE PRISON DID NOT MAKE COPIES FOR MY CIVIL RIGHTS COMPLAINTS, 42 U.S.C. 1983

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

I CAN'T SEND MY CIVIL RIGHTS COMPLAINT 42 U.S.C. 1983 IN TIME

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Claim II? ☐ Yes ☐ No
- Did you appeal your request for relief on Claim II to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. I AM SUING CHIEF DISTRICT JUDGE E. V. NELSON IV AND FEDERAL COURT, ALL STATE ACTORS,

CLAIM III

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim III? ☐ Yes ☐ No
- c. Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

I WANT A JURY TRIAL DEMANDED. I WANT ~~50~~ FIFTY
MILLIONS DOLLARS AND FIFTY MILLIONS DOLLARS PUNITIVE
DAMAGE. I WANT CHIEF DISTRICT JUDGE JENNA NELSON
CHARGED WITH CONSPIRE WITH CONSPIRACY TO DENIED ME WALKER
THE RIGHT TO COURTS, AND DISCRIMINATION. AND ALL THE STATE
ACTORS CHARGED

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8-7-22
DATE

Elmer Eugene Walker
SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.

(date) (initials)

Number of pages scanned:

CIVIL COVER SHEET (E-FILING FROM CDCR ONLY)

40

This civil cover sheet and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized by the Standing Order signed by the Chief District Judge entitled "In Re: Procedural Rules for Electronic Submission Of Prisoner Litigation Filed By Plaintiffs Incarcerated at Participating Institutions", and approved by the Clerk of the Court. This civil cover sheet is required on all cases filed by Plaintiffs housed at institutions participating under the e-filing program pursuant to the Standing Order and necessary for the purpose of initiating the civil case.

I. PLAINTIFF

(to be Completed by Plaintiff)

Ezmer E Walker

II. DEFENDANT(S)

(to be Completed by Plaintiff)

San Joaquin Hospital

III. INSTITUTION BEING E-FILED FROM

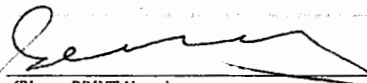
(To be Completed by CDCR Staff Member)

CDCR Institution Abbreviation Code CHCF Stockton

IV. SENDER INFORMATION

(to be Completed by CDCR Staff Member)

SENDER:

S. Kouhong
(Please SIGN Name)
(Please PRINT Name)

DATE SCANNED & EMAILED: _____

V. IF CIVIL COMPLAINT CANNOT BE E-FILED ONLY

(to be Completed by CDCR Staff Member)

☐ This civil complaint, and other initial filing documents authorized by the Chief District Judge entitled "In Re: Procedural Rules for Electronic Submission Of Prisoner Litigation Filed By Plaintiffs Incarcerated at Participating Institutions" is authorized to be filed through the U.S. mail and accepted by the Clerk of the Court without the need to be electronically filed because the digital sender/scanner was down for more than 48 hours. See Standing Order at ¶ 2.

DATED: _____

(Please SIGN Name)

(Please PRINT Name)

Institution Abbreviation Code: _____

See Reverse Side for "Instructions To Plaintiffs Participating In E-Filing Program At Participating CDCR Facilities"

Scanned at CDCR by SK
(date) (initials)

Number of pages scanned:

CIVIL COVER SHEET (E-FILING FROM CDCR ONLY) 34

This civil cover sheet and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized by the Standing Order signed by the Chief District Judge entitled "In Re: Procedural Rules for Electronic Submission Of Prisoner Litigation Filed By Plaintiffs Incarcerated at Participating Institutions", and approved by the Clerk of the Court. This civil cover sheet is required on all cases filed by Plaintiffs housed at institutions participating under the e-filing program pursuant to the Standing Order and necessary for the purpose of initiating the civil case.

I. PLAINTIFF <i>(to be Completed by Plaintiff)</i> <p style="font-size: 1.2em; margin-top: 10px;">ELMER EUGENE WALKER</p>	II. DEFENDANT(S) <i>(to be Completed by Plaintiff)</i> <p style="font-size: 1.2em; margin-top: 10px;">CHIEF DISTRICT JUDGE JENNA NELSON</p>
III. INSTITUTION BEING E-FILED FROM <i>(To be Completed by CDCR Staff Member)</i> CDCR Institution Abbreviation Code _____	
IV. SENDER INFORMATION <i>(to be Completed by CDCR Staff Member)</i> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> SENDER: _____ <i>(Please SIGN Name)</i> </div> <div style="width: 45%;"> _____ <i>(Please PRINT Name)</i> </div> </div> DATE SCANNED & EMAILED: _____	
V. IF CIVIL COMPLAINT CANNOT BE E-FILED ONLY <i>(to be Completed by CDCR Staff Member)</i> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <input type="checkbox"/> This civil complaint, and other initial filing documents authorized by the Chief District Judge entitled "In Re: Procedural Rules for Electronic Submission Of Prisoner Litigation Filed By Plaintiffs Incarcerated at Participating Institutions" is authorized to be filed through the U.S. mail and accepted by the Clerk of the Court without the need to be electronically filed because the digital sender/scanner was down for more than 48 hours. See Standing Order at ¶ 2. </div> DATED: _____ <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> _____ <i>(Please SIGN Name)</i> </div> <div style="width: 45%;"> _____ <i>(Please PRINT Name)</i> </div> </div> Institution Abbreviation Code: _____	

See Reverse Side for "Instructions To Plaintiffs Participating In E-Filing Program At Participating CDCR Facilities"